

**LEWIS
AND
ROCA
L.L.P.**

L A W Y E R S

E-Filed on 10/30/07

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC.

**USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,**

**USA CAPITAL FIRST TRUST DEED
FUND, LLC,**

USA SECURITIES, LLC,
Debtors.

Affects:

- All Debtors
 - USA Commercial Mortgage Company
 - USA Capital Realty Advisors, LLC
 - USA Capital Diversified Trust Deed Fund, LLC
 - USA Capital First Trust Deed Fund, LLC
 - USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

STATUS AND AGENDA FOR NOVEMBER 2, 2007 HEARINGS

Date of Hearing: November 2, 2007

Time of Hearing: 9:30 a.m.

9:30 a.m.

1. USACM Liquidating Trust's Motion to Classify Claims Filed by Pecos Professional Park Limited Partnership in Plan Class A-7, and Reservation of Counterclaims and Objections Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST (CHARLES, ROB) (Entered: 03/13/2007) [DE 3081]

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1 **Opposition Filed:** Opposition Filed by JEFFREY R. SYLVESTER on behalf of
 2 04/19/2007 PECOS PROFESSIONAL PARK, LLC [DE 3494]
 3 **Status:** Hearing rescheduled from 4/26/2007; 6/15/2007; and 9/28/2007
 4 Counsel for the USACM Liquidating Trust filed a Motion for
 5 Summary Judgment at DE 5122 and 5123. This hearing may be
 6 vacated or continued to the hearing on the MSJ, if any.

7 **2. Objection to Claim 10725-00218 of The Sandler Living Trust in the**
 8 **amount of \$25,000.00 with Certificate of Service *Filed as Secured and in Wrong***
 9 ***Debtor's Case; Objection of DTDF to Proposed Allowance of Claim*** filed by ROB
 10 CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4815]

11 **Opposition Filed:** None
 12 **Status:** Counsel for the USACM Liquidity Trust will submit a form of
 13 order granting the objection.

14 3. Adv. 6-1256, USA COMMERCIAL MORTGAGE COMPANY et al v.
 15 REALE et al **Motion to Strike Jury Demand; Memorandum of Points and Authorities**
 16 Filed by ANNE M. LORADITCH on behalf of OFFICIAL COMMITTEE OF EQUITY
 17 SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC
 18 [DE 274]

19 **Related Filings:** Ex Parte Motion for Order Shortening Time *for Motion to Strike*
 20 5/10/2007 *Jury Demand; Memorandum of Points and Authorities* Filed by
 21 ANNE M. LORADITCH on behalf of USA CAPITAL
 22 DIVERSIFIED TRUST DEED FUND, LLC [DE 275].
 23 5/15/2007 Order Granting Ex Parte Application for Order Shortening Time
 24 for Hearing on Motion to Strike Jury Demand [DE 290]

25 **Opposition Filed:** Opposition *TO PLAINTIFF USA CAPITAL DIVERSIFIED*
 26 5/22/2007 *TRUST DEED FUND, LLC'S MOTION TO STRIKE JURY*
 27 *DEMAND* Filed by PETER W. GUYON on behalf of BOB
 28 ALUM, FRANK J. BELMONTE, JR., JEAN JACQUES
 29 BERTHELOT, GARY BRENNAN, WILLIAM F ERRINGTON,
 30 HARV GASTALDI, GREAT WHITE INVESTMENTS, NV,
 31 INC., VINCENT GREEN, JAYEM FAMILY LTD
 32 PARTNERSHIP, AIMEE KEARNS, KLAUS KOPF, ARLENE

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KRAUS, BERNARD KRAUS, JOSEPH B. LAFAYETTE,
JASON G LANDESS, SVEN LEVIN, JACQUES M. MASSA,
Betty Phenix, R&N REAL ESTATE INVESTMENTS, R.G.T.
MILLER (TRUSTEE), DENNIS F. SIPIORSKI, DAVID
STIBOR, KENNETH TRECHT, ROBERT J. VERCHOTA,
STEVE WALTERS, RUSSELL J. ZUARDO [DE 323]

Joinder Filed: 5/23/2007
Joinder with Certificate of Service Filed by CRAIG ORROCK [DE 332]

Reply Filed: 5/29/2007
Reply *in Support of Motion to Strike Jury Demand* Filed by ANNE M. LORADITCH on behalf of USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC [DE 341]

Status
Hearing rescheduled from 5/31/2007; 6/22/2007; 7/25/2007; 8/23/2007; and 9/28/2007. The USACM Liquidating Trust is not a party to this matter.

4. **Objection to Claim 1366 of Los Valles Land & Golf LLC** filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3076]

Opposition Filed: None

Related Filing: 3/13/2007
Declaration Of: Edward M. Burr *in Support of USACM Liquidating Trust Objections to Proofs of Claim and Motions to Classify Claims* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3082].

Stipulation Filed: 4/18/2007
Stipulation By USACM LIQUIDATING TRUST and Between Los Valles Land & Golf LLC *Continuing Hearing on Objections to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3484]

Related Filing: 4/24/2007
Order Approving Stipulation to Continue the Hearing on Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC [DE 3529]

Stipulation Filed: 5/30/2007
Stipulation By USACM LIQUIDATING TRUST and Between Los Valles Land & Golf LLC *Stipulation Continuing Hearing on Objections to Claim 1366 of Los Valles Land & Golf LLC* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3838]

Related Filing: Order Approving Stipulation to Continue the Hearing on

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1 5/30/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC
 2
 3 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 7/10/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*
 to Claim 1366 of Los Valles Land & Golf LLC Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
 4146]
 4
 5
 6 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
 7/12/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC
 [DE 4152]
 7
 8 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 10/04/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*
 to Claim 1366 of Los Valles Land & Golf LLC Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
 4933]
 9
 10 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
 10/11/2007 Objections to Claim 1366 of Los Valles Land Gold, LLC [DE
 4972]
 11
 12 **Status:** Hearing rescheduled from 4/26/2007; 6/15/2007; 7/27/2007 and
 10/15/2007.
 13
 14 A stipulation to continue the hearing to November 16, 2007 is
 15/ being circulated.
 16

17 5. **Omnibus Objection to Claim of Claimants on Exhibit A in the amount**
 18 **of (Eighteenth Omnibus Objection)** filed by ROB CHARLES on behalf of USACM
 19 LIQUIDATING TRUST [DE 3168] as it pertains to Los Valles Land and Golf.

20 **Opposition Filed:** None
 21 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 4/18/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*
 to Claim 1366 of Los Valles Land & Golf LLC Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
 3484]
 22
 23 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
 4/24/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC
 [DE 3529]

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1 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 2 5/30/2007 Los Valles Land & Golf LLC *Stipulation Continuing Hearing on*
 3 *Objections to Claim 1366 of Los Valles Land & Golf LLC* Filed
 4 by ROB CHARLES on behalf of USACM LIQUIDATING
 TRUST [DE 3838]

5 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
 6 5/30/2007 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC
 [DE 3846]

7 6/29/2007 Order Sustaining Eighteenth Omnibus Objection of the USACM
 8 LIQUIDATING TRUST to Claims Asserting Secured Status [DE
 4093]

9 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 10 7/10/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*
 to Claim 1366 of Los Valles Land & Golf LLC Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
 4146]

12 7/12/2007 Order Approving Stipulation to Continue the Hearing on
 13 Objections to Claim 1366 of LOS VALLES LAND & GOLF LLC
 [DE 4151]

14 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between
 15 10/04/2007 Los Valles Land & Golf LLC *Continuing Hearing on Objections*
 to Claim 1366 of Los Valles Land & Golf LLC Filed by ROB
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE
 4933]

18 **Related Filing:** Order Approving Stipulation to Continue the Hearing on
 19 10/11/2007 Objections to Claim 1366 of Los Valles Land Gold, LLC [DE
 4972]

20 **Status:** Hearing rescheduled from 4/26/2007; 6/15/2007; 7/27/2007 and
 21 10/15/2007.

22 Counsel is circulating a stipulation to continue the hearing to
 November 16, 2007.

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LAWYERS

1 DATED: October 30, 2007.
2

3 **LEWIS AND ROCA LLP**

4 By: /s/ Rob Charles (#6593)

5 Susan M. Freeman, AZ 4199 (*pro hac vice*)

6 Rob Charles, NV 6593

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8 Las Vegas, Nevada 89169-5996

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11 Counsel for USACM Liquidating Trust

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